

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** June 23, 2008  
**POSITION:** Neutral

**BILL NUMBER:** SB 1124  
**AUTHOR:** Senate Local Government  
**RELATED BILLS:** AB 2069 - 2007-08

### **BILL SUMMARY:** Local Government Omnibus Act of 2008

This bill, the Local Government Omnibus Act of 2008, addresses 15 technical, minor and non-controversial problems and inconsistencies in current state law affecting counties, cities, special districts and redevelopment agencies, as well as laws concerning land use and development.

### **FISCAL SUMMARY**

Finance estimates this bill would have no state General Fund impact.

### **COMMENTS**

Finance notes the following with regard to this bill:

- The purpose of this bill is to respond to multiple requests for technical, non-controversial amendments to current law in an efficient and relatively inexpensive manner by combining them in one omnibus bill.

Analyst/Principal (0762) C. Hill	Date	Program Budget Manager Mark Hill	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved_____
			Position Disapproved_____

<b>BILL ANALYSIS</b>	Form DF-43 (Rev 03/95 Buff)
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Senate Local Government

June 23, 2008

SB 1124

## **ANALYSIS**

### **A. Programmatic Analysis**

In 1974 the Legislature authorized the County of Los Angeles, the City of Los Angeles, and the Los Angeles Unified School District to form a joint powers authority to finance a sports stadium in San Pedro, to be financed with a special tax. Los Angeles officials never formed the joint powers authority, and Propositions 13 and 218 rendered the statutory language obsolete.

This bill would repeal the statute that authorized Los Angeles officials to levy special taxes to pay for a sports stadium.

Current law, since 1913, has authorized local officials to invest a portion of their temporarily idle funds in a variety of financial instruments. In 2007, the Legislature authorized local agencies to invest in the registered treasury notes or bonds of any other states, in addition to California. The California Association of County Treasurers and Tax Collectors notes that in adding a new statutory subdivision, last year's bill made existing cross-references obsolete in four code sections.

This bill would correct these outdated statutory cross-references.

Existing law establishes the California Debt and Investment Advisory Commission (CDIAC) as the state's information clearing house for state and local government debt. Local treasurers were required, until January 1, 2007, to provide annual statements of investment policies and quarterly investment reports to their legislative bodies and to send copies of their quarterly reports to CDIAC.

This bill would delete the lapsed requirement for local officials to send their quarterly investment reports to CDIAC, and for CDIAC to issue a summary report.

The Los Angeles County Metropolitan Transportation Agency, in 1994, formed a non-profit public benefit corporation to supply paratransit services. A March 2007 court decision held the corporation to be a public corporation falling within the definition of a public entity for the purposes of the state's liability statutes.

This bill provides that a non-profit public benefit corporation that has been properly designated under state and federal law to administer a paratransit plan is deemed a public agency for purposes of the state's liability statutes.

Current law, Proposition 13, capped the maximum ad valorem property tax rate at 1 percent of cash value. Despite that well-established constitutional cap on property tax rates, some statutes pre-dating Proposition 13 still allow counties and cities to levy property taxes with higher ad valorem rates.

This bill deletes obsolete references to separate property tax rates, and instead inserts the appropriate cross-references to local special taxes.

Existing law establishes county clerks as the counties' elections officials responsible for maintaining voter registration records, verifying petition signatures, monitoring elections, collecting and filing campaign documents, and reporting election results. The 14 charter counties have the constitutional authority to establish a registrar of voters separate from the county clerk. Current law also provides for 10 general law counties to appoint separate registrars of voters.

This bill would authorize the Napa County Board of Supervisors to appoint a separate registrar of voters to execute the duties of county elections official.

Current law permits cities and counties to adopt uniform codes by reference, including standards for building, plumbing, and electrical work, and requires that one certified copy of each code be kept on file for public inspection. In addition, a reasonable supply of those codes must be stocked and available for purchase by the public at a moderate price.

This bill would repeal the requirement for the clerks of local legislative bodies to keep a supply of copies of adopted uniform ordinances.

Existing law permits special districts to issue securitized limited obligation notes (SLONs) and borrow up to \$2 million to be paid back from designated revenues over 10 years, without voter approval. The statutory authority to issue SLONs sunsets on December 31, 2009.

This bill would extend the authority for special districts to issue SLONs from December 31, 2009 to December 31, 2014.

Under current law a specified redevelopment agency is authorized to build sewer or water lines on state property in Redlands. Existing statute defines "facilities and services related to development" by cross-referencing sections of law that were repealed in 2000.

This bill would delete the obsolete cross-references.

Current law forbids cities and counties from reducing a parcel's residential density below the amount needed to comply with their general plans' housing elements, unless they identify other parcels with equal or greater densities. Current law also provides until January 1, 2007, for mandatory awards of attorneys' fees to plaintiffs successfully enforcing this statute.

This bill would repeal obsolete requirements for the courts to award attorneys' fees and costs to plaintiffs who won lawsuits for enforcing the no-net-loss residential zoning requirement, and would clarify that successful parties may use current law to move for an award of attorneys' fees.

Existing law, the Subdivision Map Act (Map Act) defines a "subdivision" as the division of land for the purpose of sale, lease, or financing, and specifically exempts about a dozen types of land divisions, including leases and easements for wind-powered electrical generation devices, provided that the project is subject to local discretionary approval.

This bill would exempt leases and easements for solar electrical generation devices from the Map Act, if the project is subject to other local agency ordinances regarding design and improvement, or if the project is subject to local discretionary approval.

Under existing law, the board of directors of the Sacramento County Sanitation District No. 1 is composed of the five members of the Sacramento County Board of Supervisors and city council members from every city in the District.

This bill would substitute the new name "Sacramento Area Sewer District" for the Sacramento County Sanitation District No. 1.

Current law provides that local officials may charge connection fees to pay for connecting private properties to public sewers, and may allow property owners to pay these connection fees in installments over 15 years.

This bill would extend the maximum installment period over which a sewer connection fee may be paid from 15 years to 30 years.

Current law requires an agency that responds to an outbreak of West Nile virus or other mosquito-borne disease to either contract with a local mosquito and vector control agency that has a cooperative agreement with the State Department of Health Services, or consult directly with the Department. This requirement sunsets January 1, 2009.

This bill would extend the sunset date from January 1, 2009 to January 1, 2011.

Existing law clarifies the differences among the Multifamily Improvement District Law, the Parking and Business Improvement Area Law of 1989, and the Parking and Business Improvement District Law of 1994, and specifies the procedures that local officials must follow when using the 1994 law to levy assessments against businesses.

This bill would further enumerate procedures that local officials must follow when using the Parking and Business Improvement District Law of 1994 to levy assessments against businesses, including procedures for protest hearings and determining when a majority protest exists.

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**BILL ANALYSIS/ENROLLED BILL REPORT--(CONTINUED)**

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<b>AUTHOR</b>	<b>AMENDMENT DATE</b>
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**B. Fiscal Analysis**

- Finance estimates this bill would have no state General Fund impact.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2007-2008	FC	2008-2009	FC	2009-2010	Code
0001/Major Rev	SO	No		-----	No/Minor Fiscal Impact	-----			0001